

REMARKS

Reconsideration of the present application is respectfully requested. Claims 1-36 and 38-71 are currently pending in the application. No claims have been added, canceled, or amended.

Claim 9 stands objected to as being dependent upon a rejected base claim, but has been indicated to be allowable if rewritten in independent form to include all of the features of the base claim and any intervening claim(s). Claims 2-8, 10-16, 18-36, and 38-71 have been indicated to be allowable. Applicant appreciates the Examiner's indication of allowable subject matter.

Claims 1 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,732,077 to Whitehead ("Whitehead '077") in view of U.S. Patent No. 6,295,285 to Whitehead ("Whitehead '285").

Independent claim 1 relates to a system operable to use a ping-pong protocol in order to remain as flexible as possible during traffic allocation. Applicant respectfully submits that the cited combination of Whitehead '077 and Whitehead '285 fails to teach, suggest, or render obvious at least one of the distinguishing features of independent claims 1, namely, a first packet including a first length indicator, wherein the first length indicator relates to a length of the first packet. In addition, Applicant respectfully submits that the cited combination of Whitehead '077 and Whitehead '285 fails to teach, suggest, or render obvious a second packet including a second length indicator, wherein the second length indicator relates to a length of the second packet.

Whitehead '077 discloses a sending station and a receiving station. When the sending station wishes to send a packet to the receiving station, the sending station generates and transmits a REQUEST signaling packet message to the receiving station. The Request signaling packet message includes a length identification that indicates a length of a packet to be transmitted at a later time from the sending station to the receiving station. The receiving station composes a PERMIT signaling packet message that is transmitted to the sending station. If permission is granted, then the sending station sends the packet data, the length of which was previously indicated by the length identification in the REQUEST signaling packet message.

See Whitehead `077, col. 6, lines 15-23, 38-42, and 52-55. Whitehead `077 teaches sending a length identification prior to sending the actual message and not sending a length identification concurrently with the packet as claimed.

Applicant respectfully submits that the secondary reference of Whitehead `285 fails to cure the deficiencies of Whitehead `077 noted above. Whitehead `285 teaches a controller to maintain information regarding all packet input queues for all base stations and terminals. The controller is adapted to keep a token queue corresponding to each packet queue in a network. Each token queue corresponds to a queued data packet in a plurality of queues. Each token contains information related to a length of the data packets and other information that is useful for scheduling a corresponding packet. In Whitehead `285, the packet length information is contained in the token and not the data packets as claimed. Furthermore, Whitehead `285 requires a controller for scheduling transmission of data packets since the data packets do not include the packet length indicators as claimed.

Applicant respectfully submits that independent claim 1 distinguishes over the cited combination of Whitehead `077 and Whitehead `285. Withdrawal of the rejection of independent claim 1 is respectfully requested.

Independent claim 17 relates to a method for using a ping-pong protocol to enable flexible traffic allocation between a first unit and a second unit. Applicant respectfully submits that the cited combination of Whitehead `077 and Whitehead `285 fails to teach, suggest, or render obvious at least one of the distinguishing features of independent claims 17, namely, transmitting from the first unit a first packet including a first length indicator, wherein the first length indicator relates to a length of the first packet. In addition, Applicant respectfully submits that the cited combination of Whitehead `077 and Whitehead `285 fails to teach, suggest, or render obvious transmitting from a second unit a second packet including a second length indicator, wherein the second length indicator relates to a length of the second packet. Applicant respectfully submits that independent claim 17 distinguishes over the cited combination of Whitehead `077 and Whitehead `285. Withdrawal of the rejection of independent claim 17 is respectfully requested.

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In view of the above remarks, Applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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